

Application for Commercial Building Delegated Municipality Authority
10/31/2014

Complete this application to request agent municipality delegation authority for commercial buildings from the State of Wisconsin Department of Safety & Professional Services, Division of Industry Services based on the request described below. See the attached list of delegated municipality general obligations. Please request our separate application for plumbing delegation.

You are requesting delegation (check one):

- ☐ 1. (Base Delegation) As a municipality (city, village, town or county) per s. SPS 361.60(5)(c) to do **plan review and inspections** of **small** commercial building projects (new buildings and their additions totaling not more than 50,000 cubic feet and alterations affecting not more than 100,000 cubic feet) to be constructed within the municipality.
- ☐ 2. As a municipality (city, village, town or county) per s. SPS 361.60(5)(c) to do **plan review** of **small** commercial building projects (new buildings and their additions totaling not more than 50,000 cubic feet and alterations affecting not more than 100,000 cubic feet) to be constructed within the municipality **and** authorization per s. 101.12(3)(g), Wis Stats., to do **inspections** of **all size** buildings in lieu of the department.
- ☐ 3. Per s. 101.12(3)(g), Wis Stats., to do **inspections only** of **all size** buildings within the municipality in lieu of the department.
- ☐ 4. As a **second class city** per s. SPS 361.60(5)(b) to do **plan review and inspections** for all the types of buildings and structures specified in s. SPS 361.30, except state-owned buildings and structures, to be constructed within the municipality. **(Note that fees per s. SPS 302.31(1)(g) must be remitted to our agency for projects beyond the base delegation size limits.)**
- ☐ 5. As an **appointed agent** per s. SPS 361.61 whereby a municipality (city, village, town or county) may request desired administrative responsibilities (e.g., fire sprinkler & fire alarm plan review only, or other expanded plan review beyond the limits outlined in options #1 & #2) and if approved by the department, receive in writing the prescribed responsibilities that are to be assumed. **(Note that fees per s. SPS 302.31(1)(g) must be remitted to our agency for building projects beyond the base delegation size limits and for all fire protection systems.)**
If appointed agent status is requested, fill in the desired enforcement responsibilities:

Ordinance: Attach your proposed or current ordinance showing: 1) adoption of the Wisconsin State Building Code, chs. SPS 361-366, 2) authorization of municipal code official to enforce, 3) duty of owners to submit for permits, 4) fee schedule or reference to fees to be set by resolution and 5) fines and penalties. Contact us for a model ordinance if desired.

Projects: Estimate the number of expected delegated projects per year:

For plan review: _____

For inspections: _____

Primary Enforcement Contact: Your primary certified commercial building inspector (CBI) for such enforcement is _____, Credential # _____ who can be reached at:

(address, if different than municipality address below)

(phone number) _____ (e-mail) _____

Your inspector has _____ hours of commercial building code enforcement experience in the past five years.

Additional Enforcement Staff: Please complete for all other certified commercial building inspectors (CBI) that will be involved.

Name	Credential#	Hours of Commercial Building Enforcement in Past 5 Years

Additional Information:

Large Building Plan Review Delegation: For delegation type 4, and type 5 if desiring plan review authority for all buildings, indicate who is your Wisconsin-registered architect or engineer with the commercial building inspector credential that will oversee commercial building enforcement.

_____ Architect or Engineer Reg.# _____

DSPS CBI Credential# _____ Date of Passage of DSPS or ICC CBI Exam _____

Fire Protection Delegation: For fire sprinkler and fire alarm plan review delegation, indicate who will be your reviewer(s) and what their credentials and experience are:

Name	Credential Types (WI Fire Sprinkler Contractor, WI Registered Fire Protection Designer, NICET Fire Alarm Systems & Water-Based Layout, NFPA CFPE, ICC F-3)	Hours of Fire Sprinkler Review/Design in Past 5 Years	Hours of Fire Alarm Review/Design in Past 5 Years

Comments: _____

I understand the attached applicable responsibilities and expectations for the type of delegation we are requesting and that they are municipal responsibilities, regardless of how we provide staffing for our enforcement program.

Signature of Head Elected or Administrative Municipal Official Title Date

Name (printed)

Municipality

Address

City, Zip Code

Return to:
Division of Industry Services
Division Administrator
PO Box 7302
Madison, WI 53707-7302

Summary of ss. SPS 361.60 & 361.61 and Other Code & Statutory Requirements for Delegated Municipalities

All Delegations (per s. SPS 361.60, unless noted):

1. Adopt an acceptable ordinance to enforce the Commercial Building Code per the desired delegation.
2. Retain certified commercial building inspector(s).
3. Code officials shall comply with s. SPS 305.10 conflict of interest prohibitions.
4. Provide requested information to our agency, including:
 1. Changes in personnel
 2. Annual project activity
 3. Annual staff activity
 4. Cooperation with departmental monitoring efforts.
5. Provide a building permit application to project applicants.
6. Set fees by ordinance. (Note that s. 66.028, WI stats, directs that fees reflect the actual cost of providing the service.)
7. Do not issue local permits before any required state plan approval of projects per SPS 361.29(1).
8. Conduct plan review of delegated projects for “substantial compliance” in a manner acceptable to the department.
9. After plans are reviewed, stamp them “conditionally approved” or “not approved” as appropriate.
10. Retain one set of reviewed plans, calculations and correspondence for four years, subject to the open records law of ch.19, WI statutes.
11. Provide written notice of review action to the submitter and owner.
12. Require submittal of components not part of the original submittal.
13. Conduct inspections in a manner acceptable to the department.
14. Create written inspection reports with copies to the file, owner and submitter.
15. Issue orders to correct if items are not corrected after inspection.
16. Comply with open records requirements for enforcement program documents.

Second Class City Delegations (additional requirements):

1. Retain a registered architect or professional engineer who is also a certified commercial building inspector by examination and that supervises the plan examination function.
2. Provide a plan approval application form for projects exceeding base plan review limits.
3. Provide a monthly or quarterly report of projects delegated under this option.
4. Forward fees per s. SPS 302.31(1)(h) to the Division of Industry Services for projects exceeding base plan review limits.

Appointed Agents (additional requirements):

1. Provide a plan approval application form for projects exceeding base plan review limits.
2. Forward fees to the Division of Industry Services s per SPS 302.31(1)(h) for specified projects.

Additional Typical Expectations in Order to Meet Statutory Requirement of s. 101.12 for Enforcement in a Manner or Per Standards Approved by the Department

General:

1. Staff to attend occasional Industry Services' meetings or teleconferences for delegated municipalities.
2. Ensure that current adopted codebooks and critical references are available to staff.
3. Check for proper credentials of contractors and tradespersons.
4. Investigate complaints filed regarding commercial buildings in your jurisdiction.
5. Legal counsel provides reasonable follow-up of expired correction orders.
6. Verify proper designer and supervising professional credentials for projects in buildings of greater than 50,000 cubic feet.
7. Provide timely plan review turnaround.

Building Plan Review - Conduct building plan reviews within 15 business days in accordance with WI Administrative Code SPS 361.31(3)(a).

Fire Sprinkler Plan Review – Review of system design, hazard determinations, hydraulic calculations, and material data sheets.

Fire Alarm Plan Review - Review of system design, battery calculations, material data sheets, voltage drop calculations, and sequence of operations.

Inspections:

1. Inspect construction in a manner and frequency at least similar to the Department of Safety & Professional Services.
2. Require compliance statements for buildings over 50,000 cubic feet prior to occupancy.